

The provisions of Art. 27, §195, which contain additional prohibitions relating to false advertising, are omitted here since the Commission on Criminal Law has proposed them for revision and inclusion in the proposed new Criminal Code.

SUBTITLE 8. CONSIGNEES.

11-801. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language used as the standard introductory language to a definition section.

(B) CONSIGNEE.

"CONSIGNEE" MEANS A COMMERCIAL AGENT WHO IS:

(1) ENTRUSTED WITH THE POSSESSION OF GOODS OR AGRICULTURAL PRODUCTS, BY OR FOR THE OWNER, TO BE SOLD FOR COMPENSATION IN THE ORDINARY COURSE OF THE AGENT'S TRADE OR BUSINESS; AND

(2) GENERALLY KNOWN BY THOSE DEALING WITH HIM TO BE SUBSTANTIALLY ENGAGED IN SELLING THE GOODS OR AGRICULTURAL PRODUCTS OF OTHERS.

REVISOR'S NOTE: This subsection is new language added for purposes of clarity.

Subsection (b) (1) is derived from the definition of "factor" contained in Rowland v. Dolby, 100 Md. 272, 274 (1905). Subsection (b) (2) is added to conform to the provisions of §2-326 (3) (b) of this article.

Since, with respect to commission merchants and the like the term "factor" has become somewhat obsolete, throughout this subtitle the more modern usage "consignee" has been substituted.

(C) GOODS.

"GOODS" INCLUDES WARES OR MERCHANDISE, BUT DOES NOT INCLUDE AGRICULTURAL PRODUCTS.

REVISOR'S NOTE: This subsection is new language added to avoid undue repetition of the words